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April 22, 2009

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Art Unit 2416

Attn: Mail Stop AF

Re: U.S. Utility Patent Application
Application No. 10/748,290; Filing or 371(c) Date: December 31, 2003
For: **Apparatus and Method for Communicating Arbitrarily Encoded Data
Over a 1-Gigabit Ethernet**
Inventors: Brown *et al.*
Our Ref: 1875.3920005

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Notice of Appeal;
2. Pre-Appeal Brief Request for Review;
3. Online Credit Card Payment Authorization in the amount of \$540.00 to cover:
\$540 for Notice of Appeal; and
4. Arguments to Accompany the Pre-Appeal Brief Request for Review.

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 22, 2009
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Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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LAG/WPL/la
Enclosure(s)